THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 32702 OF 1998

Dated 28th June, 2007

Between:

Sangareddypeta Madhavi and others.

…Petitioners.

And

The Government of Andhra Pradesh,
Represented by its Principal Secretary,
Municipal Administration & Urban Development
Department, Secretariat, Hyderabad and others.

…Respondents.

ORAL ORDER:

In this writ petition, the petitioners who are the owners of the residential plot bearing No.11 in Survey No.83 of Lingojiguda village, Saroornagar Mandal, Ranga Reddy District, seek a declaration that the action of the respondents in taking steps to dispossess them from the said land without due process of law is illegal and arbitrary.

In the affidavit filed in support of the writ petition, it is stated that the original owners of the land in Survey No.83 of Lingojiguda village, Saroornagar Mandal, Ranga Reddy District had laid the land into plots after obtaining permission from the local authority i.e. Gram Panchayat, Lingojiguda and sold the land to various individuals, and, several persons had purchased plots and constructed residential houses. It is stated that the petitioners 1 and 2 had purchased part of plot bearing No.11 and the remaining part of the said plot was purchased by the third petitioner, who is also related to petitioners 1 and 2. It is stated that they purchased plot No.11 by registered sale-deeds dated 22.4.1994 and their vendor, Sheshagiri Rao purchased the said land on 31.3.1986 by registered sale deed from one Muketi Veera Raghavarao. It is stated that though the said land is not notified for acquisition for any public purpose, but, however, there is interference by the respondents with the land for formation of Necklace Road around the Saroornagar Tank and also for beautification purpose. Precisely, it is the grievance of the petitioners that the plotted area is their private property having purchased by registered sale-deeds, but, however, the same is sought to be used for public purpose without acquiring

the same by due process of law.

At the stage of admission, this court had granted interim directions as early as on 24.11.1998 and the said order continued all along and no counter affidavit is filed by the respondents. There is also no representation on behalf of the respondents.

As much as it is stated that the petitioners have purchased the subject plot by registered sale-deeds and in absence of any counter affidavit and representation on behalf of the respondents, I dispose of the writ petition directing the respondents not to deprive the petitioners of their property in Plot No.11 in Survey No.83 of Lingojiguda village, or any part thereof without following the due process of law.

Subject to above direction, the writ petition is disposed of. No order as to costs.

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28-6-2007

R.SUBHASH REDDY, J.

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